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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/061,387	02/01/2002	Karl-Rudolf Hopt	2870	2384

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EXAMINER

NGUYEN, KIMBERLY D

ART UNIT PAPER NUMBER

2876

DATE MAILED: 08/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/061,387

Applicant(s)

HOPT ET AL.

Examiner

Kimberly D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-23,26,27,29,31-33,36,37 and 39 is/are rejected.
- 7) ☒ Claim(s) 24,25,28,30,34,35,38 and 40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Amendment

1. Receipt is acknowledged of Preliminary Amendment filed 1 February 2002.

Claim Objections

2. Claims 22 and 31 are objected to because of the following informalities:
 - Claim 22, line 2: "to" should be replaced with "the", i.e., --the deflectable arm--.
 - Claim 22, line 4: "a" should be deleted, i.e., --said card stop--.
 - Claim 31, line 13: "the effect" lacks of antecedent basis and should be changed to "an effect".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 21-23, 26-27, 29, 31-33, 36-37, and 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Koike et al. (US 4,358,103; hereinafter "Koike").

Re claims 21, 26-27, 31, and 36-37: Koike teaches a card stop apparatus for a card reader, the card stop apparatus comprising:

a card stop (as shown in figs. 5A-5D) disposed in a path (29 in figs. 5A-5D) of a card (28 in figs. 5A-5D) inserted into the card reader (i.e., the card transporting apparatus), the card stop

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being rotatable out of the card path about an axis of rotation (14-2 in figs. 5A-5D) extending transverse to the card path; and

an arm (11 in figs. 5A-5D), rotatably coupled to the card stop, the arm being deflectable about an axis of rotation extending transverse to the card path, and behind the card stop in a card inserting direction, the arm being pretensioned (i.e., the spring 24; col. 7, lines 7-18) into a pivoting position engaging the card path (see figs. 5A-5D; col. 4, line 10 through col. 5, line 43).

Re claims 22-23 and 32-33: Koike teaches a card stop apparatus for a card reader, wherein the deflectable arm is formed by a first arm (14-1) of a two-armed lever with a second arm (14-3) of the lever being rotatably coupled to the card stop (see figs. 5A-5D).

Re claims 29 and 39: Koike teaches a card stop apparatus for a card reader, further comprising a tension spring (24, 13-1, 13-2) for pretensioning the arm, the spring being interconnected between the arm and a card reader housing (see figs. 4A and 5A-5D; col. 2, line 65 through col. 3, line 12).

Allowable Subject Matter

5. Claims 24-25, 28, 30, 34-35, 38, and 40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

The record of prior art fails to teach or fairly suggest that a card stop apparatus for a card reader, wherein the card stop is formed as a bolt having a recess disposed in the card path and the deflectable arm is formed by a first arm of a two-armed lever with a second arm of the lever being rotatably coupled to the card stop, the second arm is hinged to the card stop at a radial

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distance from the arm axis of rotation, the stop is formed or a bolt having a recess disposed in the card path, the bolt is generally round and the recess comprise a circle segment, the deflectable arm includes a slope pattern extending into the card path at an angle to the card path, a nose of the deflectable arm engages the card path, the card stop comprises a separating edge on a side pivoting in the card path and a tension spring pretensions the arm, the spring being interconnected below the arm and a card reader housing.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure . Kitahara (US 5,466,914) teaches recording reproducing apparatus with a mechanism for preventing successive insertion of two cards. Mita et al. (US 5,045,674) teaches IC card reader/writer having rotating contact support with pin-check verification. Hashimoto et al. (US 5,017,764) teaches apparatus for driving card-like record medium. Kilborn (US 4,527,052) teaches autoteller card handling mechanism. Morello et al. (US 3,909,595) teaches entry gate construction for credit card actuated automatic remote banking equipment. Kreitzer (US 3,850,299) teaches card transport and capture mechanism.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 703-305-1798. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 703-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-1341 for regular communications and 703-305-1341 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-8792.

KDN
August 11, 2003



MICHAEL G. LEE
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